

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 341

HOUSE BILL 2639

AN ACT

AMENDING SECTION 23-392, ARIZONA REVISED STATUTES; RELATING TO WAGES AND HOURS OF PUBLIC EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 23-392, Arizona Revised Statutes, is amended to
3 read:

4 23-392. Overtime compensation for certain law enforcement
5 activities; option; definition

6 A. Any person engaged in law enforcement activities shall be
7 compensated for each hour worked in excess of forty hours in one work week
8 at the option of such employer at the following rates:

9 1. One and one-half times the regular rate at which such person is
10 employed or one and one-half hours of compensatory time off for each hour
11 worked if by the person's job classification overtime compensation is
12 mandated by federal law.

13 2. If by the person's job classification federal law does not mandate
14 overtime compensation, the person shall receive the regular rate of pay or
15 compensatory leave on an hour for hour basis.

16 B. For the purposes of this section, a "person engaged in law
17 enforcement activities" means a law enforcement officer as defined by section
18 38-1001, a peace officer as defined by section 41-1701, or any security
19 personnel responsible for controlling or maintaining custody of inmates in
20 correctional institutions maintained by the state or a county, city or
21 town. The term "person engaged in law enforcement activities" shall not
22 include any such person employed in a bona fide executive or administrative
23 capacity as defined by the employer.

24 C. PAID LEAVE MAY BE CONSIDERED HOURS WORKED FOR THE PURPOSE OF
25 CALCULATING OVERTIME.

26 ~~C.~~ D. The director of the department of public safety may establish
27 alternate work periods, in accordance with federal law, for the purpose of
28 determining overtime compensation for those employees of the air rescue
29 section of the department of public safety.

30 ~~D.~~ E. Notwithstanding subsection ~~C~~ D of this section, an
31 alternate work period established by the director of the department of
32 public safety for the purpose of determining overtime compensation shall not
33 exceed twenty-eight days or one-hundred and sixty hours.

~~APPROVED BY THE GOVERNOR JUNE 4, 2002.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 4, 2002.~~

Passed the House April 8, 2002,

by the following vote: 49 Ayes,

0 Nays, 11 Not Voting

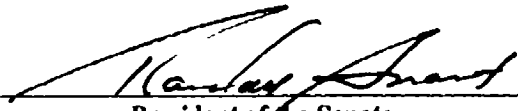

Speaker of the House

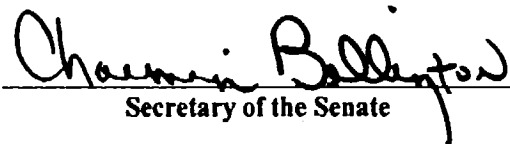

Chief Clerk of the House

Passed the Senate May 20, 2002,

by the following vote: 18 Ayes,

8 Nays, 4 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20 day of May, 2002,


at 1:50 o'clock P M.


Secretary to the Governor

Approved this 4th day of

June, 2002,

at 10:47 o'clock A M.

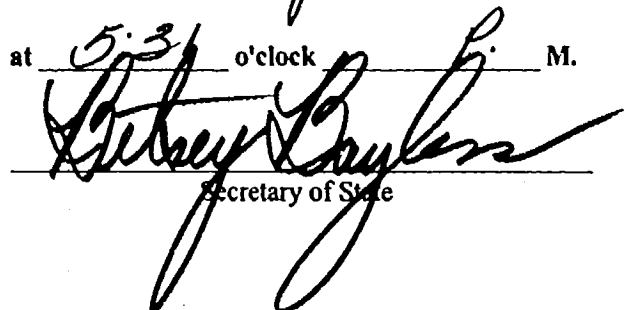

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of June, 2002

at 5:31 o'clock P M.


Secretary of State

H.B. 2639